

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.51024-M of 2006

DATE OF DECISION:19.10.2006

Manmohan Singh & Ors. Petitioners

Versus

State of Punjab Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri Avnish Mittal, Advocate
for the petitioners.

Shri N.S. Gill, AAG, Punjab.

Shri T.S. Sangha, Advocate
for the complainant.

The Petitioners, apprehending their arrest in a non-bailable offence in case FIR No. 182 dated 28.7.2006 under Sections 307,341,427,148,149, 435 and 511 IPC, registered at Police Station Sadar Rajpura, District Patiala have filed this petition under Section 438 Cr.P.C. for anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioners contends that in the alleged occurrence, damage was caused only to the tractor of the complainant, regarding which it was alleged that kerosene oil was sprinkled and the tractor was set ablaze. Counsel contends that the offence under Section 307 IPC has been wrongly added at the instance of the complainant who stated that the petitioners wanted to put him on fire by pouring kerosene oil. Counsel contends that these allegations are false and have been made only to add the offence under Section 307 IPC, as undisputedly, no injury

has been caused to the complainant.

Counsel for the petitioners contends that in view of the order dated 28.8.2006, the petitioners have joined the investigation. Counsel for the respondent-State on instructions from Ajaib Singh, Head Constable does not dispute this fact and further states that the petitioners are no more required for further interrogation.

In view of the above, the interim bail, granted vide order dated 28.8.2006 is made absolute subject to the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under Section 173 Cr.P.C. except for material change in the circumstances. Thereafter the petitioners shall be entitled to the grant of regular bail by the trial Court and the same shall further continue till conclusion of the trial on the conditions to be imposed by the court of competent jurisdiction.

Disposed of accordingly.

October 19, 2006
pooja

(SATISH KUMAR MITTAL)
JUDGE